

Panaji, 5th December, 2002 (Agrahayana 14, 1924)

SERIES II No. 36

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There is One Extraordinary issue to the Official Gazette Series II, No. 35 dated 28-11-2002, namely: Extraordinary dated 28-11-2002 from pages 861 to 862 regarding Orders from Department of Revenue.

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

Notification

No. DE/STAT/AISES-COM/2002/465

The Government of Goa is pleased to constitute the Monitoring and Review Committee to monitor the progress of the 7th All India School Education Survey in Goa with immediate effect.

- | | |
|---|-------------------------|
| 1. Secretary (Education) | : Chairman |
| 2. Director (Education)/Ex-Officio
Director of the Survey | : Member |
| 3. Representative of NIC Goa State Unit | : Member |
| 4. Jt. Director of Accounts,
Directorate of Education | : Member |
| 5. Asstt. Director of Education,
North Education Zone/District
Survey Officer, North Goa District | : Member |
| 6. Asstt. Director of Education,
South Education Zone/District
Survey Officer, South Goa District | : Member |
| 7. Statistical Officer, Directorate of
Education/State Survey Officer | : Member-
-Convenor. |

By order and in the name of the Governor of Goa.

Arvind Ray, Secretary (Education.).

Panaji, 18th October, 2002.

Notification

No. 15-18-96-EDN/526

Read: Notification No. 15-18-96-EDN-1801 dated 17-11-99.

In supersession of Government Notification No. 15-18-96-EDN-1801 dated 17-11-1999 and in exercise of power conferred by clause 6(i) and 10(xii) of the Constitution of Goa Konkani Akademi, Panaji, Government is pleased to nominate the below mentioned persons on the Goa Konkani Akademi, with immediate effect.

- | | |
|----------------------------------|-----------------|
| 1. Shri Pundalik Naik | President. |
| 2. Shri Bhushan Bhawe | Member. |
| 3. Shri Prakash Vazrikar | Member. |
| 4. Shri Antonio Piedade D'Moraes | Member. |

By order and in the name of the Governor of Goa.

Gajanan L. Pernekar, Director of Education & Ex-Officio Joint Secretary.

Panaji, 22nd November, 2002.

Directorate of School Education

Order

No. 1(1)-10-2002/SE/178

Read:- Order No.46/38/2000/Adm.II/Vol.X/1620 dated 01-01-2002.

Shri Prakash K. Prabhu Shirodkar, Headmaster, Government High School, Ambedem Nagargao-Satari, had given notice for Voluntary Retirement under Rule 48-A of C. C. S. (Pension) Rules, 1972 under the Voluntary Retirement Scheme re-opened by the Government vide O. M. No. 1/21/99-FCC(Part) dated 16/08/2001 which was extended upto 15-11-01 vide O.M. No. 1/21/99-FCC(Part) dated 31-10-2001.

The above mentioned officer has been permitted to retire from service in term of Voluntary Retirement Scheme.

The committee constituted for the purpose has accepted the Voluntary Retirement of Shri Prakash K. Prabhu Shirodkar.

Therefore, in exercise of the powers delegated to the Appointing Authority under Rule 48-A of C.C.S (Pension) Rules, 1972, the Competent Authority hereby accept his request for Voluntary Retirement with effect from 01-02-2002 (B.N.) and he stands relieved from Government service with retrospective effect from 1-2-2002 B. N.

This is issued in partial modification to the Order No. 46/38/2000/Adm.II/Vol.X/1620 dated 01-01-2002.

By order and in the name of the Governor of Goa.

Dilip Sardesai, Under Secretary (School Education).

Panaji, 20th November, 2002.

Department of Finance

Finance Expenditure Division

Addendum

No. 6/10/05-Fin(R&C)-Part I

Read: Government Order No. 6/10/85-Fin(R&C)-Part I dated 11-10-2002.

Government is pleased to appoint a "Representative to be nominated by Goa Pharmaceuticals Manufacturers Association" as member on the Sales Tax Advisory Committee constituted vide Order referred to above.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Under Secretary (Fin-Exp).

Panaji, 18th November, 2002.

Department of Forest

Order

No. 10-1-2001-02-PER/FD/565

Sub:- Allotment of work to the Conservator of Forests.

Read: (i) Notification No. 16016/3/2002-AIS(ii)(B) dated 15-4-2002 from GOI, Ministry of Personnel, PG & Pension, Deptt. of Personnel & Trg. New Delhi appointing Dr. D. Pandey as CCF.

(ii) Order No. I-V-30-2002-FD/1996 dated 6-8-2002 of the Chief Conservator of Forests.

Consequent on the up-gradation of the post of the Head of Forest Department in Goa to the level of Chief Conservator of Forests, the matter of allotment of work to the Conservator of Forests is under consideration of the Government for some time. After considering all aspects, the following orders have been issued with immediate effect.

2. The Conservator of Forests, Goa is designated as the Director of Wildlife & Eco-Tourism. His office would

be at Junta House, Panaji. He would be assisted by a Dy. Conservator of Forests (Wildlife & Eco-Tourism). In addition, the Dy. Conservators of Forests of North and South Goa would report to the Director of Wildlife & Eco-Tourism regarding the matters of the Wildlife & Eco-Tourism. In respect of general territorial work, they will report directly to the Chief Conservator of Forests.

3. The Dy. Conservator of Forests till now designated as the Director of Wildlife & Eco-Tourism is hereby re-designated as the Dy. Conservator of Forests (Wildlife & Eco-Tourism).

4. The Director of Wildlife & Eco-Tourism would be the Head of Office. He will submit all files of policy and important matters to the Government through the Chief Conservator of Forests, who will continue as the Chief Wildlife Warden.

5. The Director of Wildlife & Eco-Tourism would also function as the Appellate Authority under the Goa, Daman & Diu Preservation of Trees Act, 1984 and the Indian Forest Act, 1927 and will act as the Nodal Officer under the Forest (Conservation) Act, 1980 within his delegated powers as Conservator of Forests. The control over the five Dy. Conservator of Forests mentioned in the Order No. 1-V-30-2002-FD/1996 dated 6-8-2002 of the Chief Conservator of Forests are hereby withdrawn.

By order and in the name of the Governor of Goa.

A. Venkataratnam, Commr. & Secretary (Forests).

Panaji, 18th November, 2002.

Department of Labour

Order

No. 24/24/2002-LAB

The Government of Goa have decided to constitute a Committee to review the progress of the implementation of the recommendations of the Manisana Wage Boards for Working Journalists and Non-Journalists Newspaper and News Agency Employees, as accepted by the Government. The composition and the terms of reference of the committee will be as follows:

I Composition:

- | | |
|--|---------------------|
| 1. Commissioner of Labour & Employment | - Chairman. |
| 2. Representative of Navhind Paper and Publication Pvt. Ltd. | - Member. |
| 3. Representative of Gomantak Pvt. Ltd. | - Member. |
| 4. Representative of Goa Union of Journalists (GUJ). | - Member. |
| 5. Representative of Tarun Bharat Publication. | - Member |
| 6. Additional Commissioner, Labour. | - Member Secretary. |

II. Terms of Reference:

1. The committee shall monitor the progress of implementation of the recommendations of the Manisana Wage Boards for Working Journalists and Non-Journalists, Newspaper and News Agency Employees, as accepted by the Government and notified vide order S. O. No. 1086(E) dated 5-12-2000 and S.O.No. 1125(E) dated 15-12-2000 and ensure their full and effective implementation.
2. The members of the Committee may also visit and inspect the Newspaper establishment in the State.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Labour).

Panaji, 25th September, 2002.

Order

No. 28/50/2002-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Rotoflex Filmpack Industries, Karaswada, Bardez-Goa, and their workman Smt. Sabina D'Souza, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Rotoflex Filmpack Industries, Thivim Industrial Estate, Karaswada, Mapusa, Goa, in terminating the services of Smt. Sabina D'Souza, Clerk, with effect from 20-8-2001, is legal and justified ?
- (2) If not, what relief the workman is entitled to ?"

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 12th November, 2002.

Order

No. 28/53/2001-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Rotoflex Filmpack Industries, Thivim Industrial Estate, Karaswada, Mapusa, Goa, and their workperson Miss Vrunda S. Chodankar, in respect of the matter

specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Rotoflex Filmpack Industries, Thivim Industrial Estate, Karaswada, Mapusa, Goa, in terminating the services of Miss Vrunda S. Chodankar, Helper, with effect from 16-5-2001, is legal and justified ?
- (2) If not, what relief the workperson is entitled to ?"

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 12th November, 2002.

Order

No. 28/56/2002-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Rotoflex Filmpack Industries, Karaswada, Mapusa, Goa, and their workperson Smt. Rajeshri R. Naik, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Rotoflex Filmpack Industries, Thivim Industrial Estate, Karaswada, Mapusa, Goa, in terminating the services of Smt. Rajeshri R. Naik, Helper, with effect from 16-7-2000, is legal and justified ?
- (2) If not, what relief the workperson is entitled to ?"

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 12th November, 2002.

Order

No. 28/46/2002-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of the Goa Urban Co-operative Bank Ltd., Panaji, Goa and their workperson Miss Deliciosa D'Souza, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of the management of the Goa Urban Co-operative Bank Ltd., Panaji, in refusing the employment to Miss Deliciosa D'Souza, Clerk, with effect from 10-8-2001, is legal and justified ?

(2) If not, what relief the workperson is entitled to ?".

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 21st November, 2002.

Order

No. 28/55/2002-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between M/s. Goa Tourism Development Corporation Ltd., and their workman represented by Goa Tourism Development Corporation Ltd., Employees Union in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of M/s. Goa Tourism Development Corporation Ltd., in transferring

Shri Dayanand Simepurushkar, Room Attendant, from Tourist Resort, Calangute, to Tourist Hostel, Old Goa, with effect from 18-09-2001, is legal and justified ?

(2) If not, what relief the workman is entitled to ?".

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 22nd November, 2002.

Order

No. 28/58/2002-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s Swan Distilleries Pvt. Ltd., Margao and their workman Shri C. Mario Vaz in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of the management of M/s. Swan Distilleries Pvt. Ltd., Margao, in terminating the services of Shri C. Mario Vaz, Driver, with effect from 19-12-2001, is legal and justified ?

(2) If not, what relief the workman is entitled to ?".

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 22nd November, 2002.

Notification

No. 24/3/2001-LAB

In exercise of the powers conferred by section 14 of the Maternity Benefit Act, 1961 (Act 53 of 1961) (hereinafter referred to as the said Act), the Government of Goa hereby appoints the Officers mentioned in column (2) of the Schedule hereto as Inspectors, with jurisdiction as specified in the corresponding entry in column (3) of the said Schedule, for the purposes of the said Act, with immediate effect.

SCHEDULE

Sr. No.	Officer	Area
1	2	3
1)	Labour Inspector, Panaji	Whole of Goa.
2)	Labour Inspector, Margao	Salcete and Canacona Taluka.
3)	Labour Inspector, Bicholim	Bocholim and Satari Taluka.
4)	Labour Inspector, Vasco-da-Gama	Mormugao Taluka.
5)	Labour Inspector, Curchorem Sanvordem	Sanguem and Quepem Taluka.
6)	Labour Inspector, Ponda	Ponda Taluka.
7)	Labour Inspector, Mapusa	Bardez and Pernem Taluka.

By order and in the name of the Governor of Goa.

Angela Menezes, Joint Secretary (Labour).

Panaji, 6th September, 2002.

Notification

No. 28/29/2001-LAB

In exercise of the powers conferred by section 7 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) (hereinafter called the said Act) read with Rule 3 of the Goa, Minimum Wages (Advisory Board) (Second Amendment) Rules, 2000 and in supersession of the Government Notification No. 25/4/88-ILD dated 1-2-2000, the Government of Goa, hereby appoints an Advisory Board for the purposes of the said Act, as follows:-

- | | |
|---|----------------------|
| 1. Minister for Labour | ... Chairman |
| 2. Secretary to Government of Goa, Labour Department | ... Vice Chairman |
| 3. Shri Ramakant Angle, Member of Parliament, | ... Member |
| 4. Shri Mathany Saldhana, Member of Legislative Assembly. | ... Member |
| 5. Shri Damu Naik, Member of Legislative Assembly. | ... Member |
| 6. The Director, Planning, Statistics and Evaluation. | ... Member |
| 7. Joint Secretary (Finance) or his nominee. | ... Member |
| 8. Director of Municipal Administration. | ... Member |
| 9. Chief Engineer, Public Works Department. | ... Member |
| 10. Commissioner, Labour and Employment. | ... Member Secretary |
| 11. Shri Christopher Fonseca, AITUC | ... Member |

- | | |
|--|-------------|
| 12. Shri Putu Gaonkar, B. M. S. | ... Member |
| 13. Dr. Mrs. Luiza Pereira, Centre of Indian Trade Union. | ... Member |
| 14. Shri Shivram Ajgaonkar, Goa Municipal Workers' Union. | ... Member |
| 15. Shri S. N. N. Karmali, Rep. of INTUC, Vasco. | ... Member |
| 16. Shri Prabhakar Ghodge, Goa Shops and Industrial Workers' Union. | ... Member |
| 17. Shri Ravindra Gaundalkar, Goa Dock Labour Union. | ... Member |
| 18. Shri Govind Bhonsle, United Bargemen's Association. | ... Member |
| 19. President, Five Star Hotels Employees Union. | ... Member |
| 20. The President, Kadamba Transport Corporation Drivers and Allied Employees Association. | ... Member |
| 21. The Chairman, National Institute of Personnel Management, Panaji. | ... Member |
| 22. Secretary, Goa Chamber of Commerce and Industry. | ... Member |
| 23. The Chairman, Shri Suresh Zantye, Rep. Cashew Processing Industry. | ... Member |
| 24. Shri Paresh Joshi, Rep. of Automobile Industry. | ... Member |
| 25. Managing Director, Kadamba Transport Corporation Limited, Panaji. | ... Member |
| 26. The President, Goa Pharmaceuticals Manufacturers' Association. | ... Member |
| 27. Chief Electrical Engineer, Panaji-Goa. | ... Member |
| 28. The Chairman, Confederation of India Industry (Goa Council) | ... Member |
| 29. Chief Engineer, Irrigation Department. | ... Member |
| 30. The President, Small Scale Industries Association. | ... Member. |

This notification shall come into force with effect from the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 18th November, 2002.

Corrigendum

No. 28/68/2002-LAB

Read: Government Order No. IRM/CON-MAP/
/(65)/97/5286 dated 24-10-2000.

The date indicated at item No. (1) of the Schedule of the above referred order dated 24-10-2000 may be corrected as 7-4-1997 instead of 4-7-1997.

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Special Secretary (Labour).

Panaji, 22nd November, 2002.

Office of the State Director of Craftsmen Training

Order

No. 2/123/2002/EST/SDCT/1241

Shri S. N. Bendake, Group Instructor, is hereby promoted to the post of Technical Officer (Trg.) (Group B Gazetted), purely on ad-hoc basis for a period of six months, in the pay scale of Rs. 6500-200-10500, plus other allowances as admissible under the rules and posted at Industrial Training Institute, Cacora to hold additional charge of Principal ITI Cacora, with immediate effect.

This will not bestow claim for regular promotion. The services rendered on ad hoc basis in the grade shall not be counted for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

The expenditure shall be debited to the Budget Head "2230-Labour & Employment 03-Training, 101-ITI, 04-ITIs Centres/Craftsmen Training Scheme, 01-Salaries (Non-Plan)".

By order and in the name of the Governor of Goa.

Surendra B. Desai, State Director of Craftsmen Training and Ex-Officio Joint Secretary.

Panaji, 2nd July, 2002.

Order

No. 2/123/2002/EST/SDCT/1242

Shri Satish B. Salunke, Group Instructor, is hereby promoted to the post of Principal (Group B Gazetted), purely on ad-hoc basis for a period of six months, in the pay scale of Rs. 6500-200-10500, plus other allowances as admissible under the rules and posted as Principal at Industrial Training Institute, Canacona.

This will not bestow claim for regular promotion. The services rendered on ad hoc basis in the grade shall not be counted for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

The expenditure shall be debited to the Budget Head "2230-Labour & Employment, 03-Training, 101-ITI,

04-ITIs Centres/Craftsmen Training Scheme, 01-Salaries (Non-Plan)".

By order and in the name of the Governor of Goa.

Surendra B. Desai, State Director of Craftsmen Training and Ex-Officio Joint Secretary.

Panaji, 2nd July, 2002.

Order

No. 4/1/2002-SDCT/EST/1836

The Government is pleased to order the transfer and posting of the following Officer in the State Directorate of Craftsmen Training with immediate effect.

Sr. No.	Name of the Officer and present posting	Transferred and posted
1.	Shri Deepak Joshi, Principal, ITI, Pernem.	ITI, Bicholim.

By order and in the name of the Governor of Goa.

Surendra B. Desai, State Director of Craftsmen Training and Ex-Officio Joint Secretary.

Panaji, 23rd August, 2002.

Order

No. 2/123/2002/EST/SDCT/2225

Read: No. 2/123/2002/EST/SDCT/1241 dated 2-7-2002.

In partial modification of this Office Order read above, Shri S. N. Bendake, Technical Officer (Trg.) is posted in the Office of the State Director of Craftsmen (Head Quarters), Panaji and he shall hold the charge of Principal, ITI Cacora, in addition to his own duties, with effect from the date of his joining i.e. 2-7-2002 (F.N.).

By order and in the name of the Governor of Goa.

Surendra B. Desai, State Director of Craftsmen Training.

Panaji, 30th September, 2002.

Department of Law & Judiciary

**Notification by the High Court of Judicature
Appellate Side, Bombay**

No. A 5505/68

Read:- 1) High Court Notification No. A. 5505/68, dated 28-10-2002.

- 2) E. Mail No. DSC/Training/JO/2002/9202, dated 29-10-2002 received from the District Judge, Panaji.
- 3) Letter No. 786/2002, dated 31-10-2002, received from Shri G. D. Shirwadkar, Civil Judge, Senior Division & J.M.F.C., Kalyan, Dist-Thane, through the I/c District and Sessions Judge, Thane.

The Hon'ble The Chief Justice and Judges are pleased to cancel orders contained in the High Court Notification of even number, dated 28-10-2002, so far as they relate to the deputation of Shri P. M. Shinde, Civil Judge, Senior Division & J.M.F.C., Panaji and Shri G. D. Shirwadkar, Civil Judge, Senior Division & J.M.F.C., Kalyan, District-Thane, for training in the Judicial Officers' Training Institute, Nagpur, w.e.f. 11-11-2002 and further pleased to depute Shri O. S. Jaiswal, Civil Judge, Senior Division & J.M.F.C., Pandhar Kawada-Kelapur, District Yavatmal and Shri K. G. Narwade, Chief Judicial Magistrate, Wardha, for training at the Judicial Officers' Training Institute, Nagpur, w.e.f. 11-11-2002 for 10 weeks.

II

Certified that Shri O. S. Jaiswal, Civil Judge, Senior Division & J.M.F.C., Pandhar Kawada-Kelapur, District Yavatmal and Shri K. G. Narwade, Chief Judicial Magistrate, Wardha, deputed for training to the Judicial Officers' Training Institute, Nagpur, would have continued to hold their original post but, for their deputation to the aforesaid Institute.

High Court, Appellate Side S. R. Sathe
Bombay, 13th November, 2002. Registrar.

No. A 1202/G/2002.

The Hon'ble The Chief Justice and Judges have been pleased to grant 6 days Earned Leave from 11-11-2002 to 16-11-2002 with permission to prefix 2nd Saturday and Sunday i. e. 9th & 10th November, 2002 respectively and suffix Sunday the 17th November, 2002 to Shri N. A. Britto, District & Sessions Judge, Margao.

On return from leave Shri Britto will be reposted as District & Sessions Judge, Margao.

Smt. B. K. Thaly, Additional District & Assistant Sessions Judge, Margao, is kept incharge of the Court of District & Sessions Judge, Margao, in addition to her own duties during the leave period of Shri N. A. Britto, from 11-11-2002 to 16-11-2002.

High Court, Appellate Side S. G. Tambe
Bombay, 15th November, 2002. Additional Registrar.

Department of Mines

Directorate of Industries and Mines

Order

No. 96/329/88-Mines/1512

(In the Matter of Renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by Application dated 21-11-1988)

M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Doro" for iron ore granted under Title of concession No. 44 dated 6-12-1954 over an area of 93.1900 Ha of land situated in Nanora/Latambarcem village of Bicholim taluka. Consequent upon the enactment of the Goa Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987, the above mining concession stood abolished and declared as mining lease under Mines and Minerals (Development & Regulation) Act, 1957 and the rules made thereunder.

On 21-11-88-M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/329/88-Mines/386 dt. 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicant to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-90. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93 the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance to law.

The applicants by a notice No. 96/329/88-Mines/117 dated 9-4-02 were called upon to furnish the following documents:

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules, 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules, 1960.
3. Copy of cadastral survey plan superimposed on lease plan.

As none of the above documents were submitted, a notice bearing No. 96/329/88-Mines/794 dated 1-7-02 was issued to the applicants fixing the date for personal hearing on 12-8-02. The applicants through their representative requested some more time to make a submission. The request was duly considered and the matter was adjourned to 17-9-02. The matter was thereafter further adjourned to 24-9-02, 30-9-02. However

on 30-9-02 the applicants failed to attend the hearing. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 14 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 9 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules, 1960 has still not been submitted. A statutory notice as required under Rule 26(3) of Mineral Concession Rules, 1960 was issued to the applicants on 9-4-02 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally a notice for personal hearing was issued on 1-7-02 which was received by the applicants. However till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. It is also seen from the available records that the mining lease is not in operation for the last 25 years. It has also come on record that a portion of the land comprising the mining lease has been acquired by the Government for construction of Sanquelim Branch Canal of Tillari Irrigation Project. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the Valid Clearance Certificate as required under rule 22 of Mineral Concession Rules, 1960. Since the applicants have failed to effect the payment of outstanding dues and to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Dr. M. Modassir, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

Dr. M. Modassir, Director of Industries and Mines.

Panaji, 7th October, 2002.

Department of Personnel

Order

No. 7/2/99-PER(Part I)

On placement of his services at the disposal of the Government of Goa by the Government of India, Ministry of Homes Affairs, New Delhi, vide Order

No. 14020/7/2002-UTS-I dated 19-09-2002, the Governor of Goa is pleased to appoint Shri Bhupinder Singh Bhalla, IAS (AGMU: 90), as Secretary (Information Technology) to the Government with immediate effect.

2. Shri Bhalla had reported for duties on 14-10-2002, (F.N.) to the Chief Secretary and was awaiting posting.

3. The subject "Information Technology including E-Governance" shall be looked after by Shri Bhalla and consequently the Government Notification No. 7/6/99-PER dated 18-07-2002, shall stand modified to this extent.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 24th October, 2002.

Order

No. 15/1/99-PER/PART

Shri Pradeep S. Naik, Joint Mamlatdar, Bicholim, shall hold the charge of the post of Chief Officer, Valpoi Municipal Council, Valpoi, in addition to his own duties, with immediate effect, until further orders, thereby relieving Shri Surendra F. Naik of the additional charge.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 28th October, 2002.

Order

No. 7/2/99-PER (Part I)

Shri B. S. Bhalla, IAS, Secretary (Information Technology), Secretariat, Panaji shall hold the charge of Director of Vigilance in addition to his own duties, with immediate effect thereby relieving Shri P. Krishnamurthy, IAS, Secretary (GA) of the additional charge.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 30th October, 2002.

Order

No. 7/2/99-PER/Part II

Government is pleased to appoint Shri P. Krishnamurthy, IAS (AGMU: 97) as Secretary to the Chief Minister with immediate effect.

Shri Krishnamurthy shall continue to hold the charge of the subjects which are presently held by him until further orders.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 30th October, 2002.